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United States of America

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAKOTA TEHYA WAKLEY,

Defendant.

Case No: 1:24-CR-00308-KES-BAM

**STIPULATION BETWEEN THE UNITED
STATES AND DEFENDANT REGARDING
PRODUCTION OF PROTECTED
INFORMATION; PROTECTIVE ORDER RE:
SAME**

WHEREAS, This Court may enter protective orders pursuant to Fed. R. Crim. P. 16(d), 18 U.S.C. §§ 3509(d)(3) and 3771(a), and its general supervisory authority.

WHEREAS, the discovery in this case contains private personal information regarding third parties, including but not limited to private medical information, autopsy photographs, coroner's report, and private personal identifying information for a victim and witnesses ("Protected Information"); and

1 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the
2 unauthorized disclosure or dissemination of this information to anyone not a party to the court
3 proceedings in this matter;

4 The parties agree that entry of a stipulated protective order is therefore appropriate.

5 THEREFORE, defendant LAKOTA TEHYA WAKLEY, by and through his counsel of record,
6 Mark W. Coleman (“Defense Counsel”), and the United States of America, by and through Assistant
7 United States Attorney Calvin Lee, hereby agree and stipulate as follows:

8 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
9 Criminal Procedure, and its general supervisory authority.

10 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
11 part of discovery in this case (hereafter, collectively known as “the discovery”).

12 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
13 documents or other information that contain Protected Information with anyone other than Defense
14 Counsel’s attorneys, designated defense investigators, designated defense experts, and support staff.
15 Defense Counsel may permit the defendant to view unredacted documents or other information in the
16 presence of his attorneys, defense investigators, and/or support staff. The parties agree that Defense
17 Counsel, defense investigators, and support staff shall not allow the defendant to copy Protected
18 Information contained in the discovery.

19 4. The discovery and information therein may be used only in connection with the litigation
20 of this case and for no other purpose. The discovery is now and will forever remain the property of the
21 United States of America (“Government”). Defense Counsel will return the discovery to the Government
22 or alternatively keep it archived within its sole possession at the conclusion of the case.

23 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
24 ensure that it is not disclosed to third persons in violation of this agreement.

25 6. Original cellphones belonging to any third parties, including original full extractions from
26 those cellphones, shall remain in possession of the Government. Upon written request by Defense Counsel
27 to Melina Ortiz Gonzalez (melina.ortizgonzalez@usdoj.gov), the Government will make original third-
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party cellphones and their original extraction data available for inspection by the Defense Counsel on the premises of the U.S. Attorney's Office for the Eastern District of California.

7. Defense Counsel shall be responsible for advising the Defendant, employees, and other members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

8. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to return the discovery to the government, or, at the request of government counsel, to forward it to new counsel after new counsel has confirmed to government counsel in writing his or her agreement to the terms of this Order.

9. Nothing in this Order shall preclude a party from seeking a more restrictive protective order or other court order with regard to particular discovery items.

IT IS SO STIPULATED.

(As auth 1/17/2025)

Dated: January 17, 2025 _____

/s/ Mark W. Coleman
Mark W. Coleman
Attorney for Defendant
Lakota Tehya Wakley

Dated: January 17, 2025

Michele Beckwith
Acting United States Attorney

By: /s/ Calvin Lee
Calvin Lee
Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: 1/21/2025

Sheila K. Oberto
Hon. Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE